

## Message Text

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ACTION EB-11

INFO OCT-01 ARA-16 IO-14 ISO-00 L-03 OMB-01 TAR-02 SPC-03

SWF-02 AGR-20 AID-20 CIAE-00 COME-00 INR-10 LAB-06

NSAE-00 OIC-04 RSC-01 SIL-01 STR-08 TRSE-00 CIEP-02

CEA-02 INRE-00 ACDA-19 SSO-00 AF-10 EA-11 EUR-25

NEA-11 DRC-01 /204 W

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O R 181455Z FEB 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4055

INFO AMEMBASSY MEXICO

USUN NEW YORK 0068

C O N F I D E N T I A L GENEVA 1005

E.O. 11652: GDS

TAGS: EGEN, UNCTAD

SUBJECT: UNCTAD: CHARTER OF ECONOMIC RIGHTS AND DUTIES  
OF STATES

REF: (A) GENEVA 1004; (B) STATE 32901; (C) GENEVA 935;  
(D) STATE 32347

1. USDEL VERY MUCH APPRECIATES WEALTH OF GUIDANCE RECEIVED FROM WASHINGTON THIS MORNING ON VARIOUS PROVISIONS OF CHARTER. VIEWS ON PARA 6, 14, 15, 19B AND CHAPTER III PROVISIONS ON SEA BEDS AND ENVIRONMENT TIMELY AND HELPFUL. WE UNDERSTAND YOUR CONCERNS AND WISH TO ASSURE YOU THAT ALL THESE PARAS, INCLUDING 14, ARE UNDER CONTROL. WE WILL MAKE AS MUCH PROGRESS AS WE CAN WITHIN PRESENT INSTRUCTIONS ON THESE PARAS.

2. WITH RESPECT TO PARA 16, AS INDICATED IN FELDMAN/SCHWEBEL TELECON LAST FRIDAY, USDEL HELD UP AGREEMENT ON TEXT FOR FULL DAY TO INSURE THOROUGH VETTING BY "B" GROUP  
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WITH PARTICULAR REFERENCE TO POSSIBLE CONCERNS ABOUT

PRODUCER CARTELS. NONE OF B GROUP COUNTRIES SAW ANY PROBLEM ACCEPTING TEXT APPROVED BY SUBGROUP II LAST FRIDAY (REF A). ALL FEST THAT INCREASING LDC COOPERATION WAS WELL ACCEPTED DOCTRINE AND THAT TRADITIONAL LANGUAGE "ECONOMIC COOPERATION", WHILE IMPORTING SOME RISK OF ABUSE, HAD GENERALLY ACCEPTED MEANING NOT ENCOMPASSING PRODUCER CARTELS. "B" GROUP BELIEVED CLOSE PROXIMITY PARA 17, WHICH COVERS YOUR MAIN POINT (REF B), HELPFUL IN ACCEPTING PARA 16. YOU WILL NOTE USDEL DID SUCCEED IN OBTAINING SEVERAL CHANGES IN LDC TEXT (REF C) WHICH SHOULD BE HELPFUL, E.G., DELETION OF PHRASE "MUTUAL RELATIONS", WHICH MIGHT HAVE IMPLIED MORE THAN TRADE AND ECONOMIC COOPERATION. RE-WORDING OF PARA SO THAT COUNTRIES, NOT INTERNATIONAL ORGANIZATIONS PER SE "SHOULD SUPPORT AND COOPERATE", PLUS ADDITIONAL QUALIFICATION OF "APPROPRIATE" SUPPORT APPEARS TO USDEL TO MEET CONCERN (REF B) RE INTERNATIONAL OBLIGATIONS.

3. WE EARNESTLY HOPE WASHINGTON CAN ACCEPT TEXT PARA 16 AS APPROVED BY SUBGROUP II (REF A). IN VIEW OF VERY LIMITED PROGRESS BEING MADE BY WORKING GROUP, AND WIDELY HELD VIEW THAT THIS PARA IS CON-CONTROVERSIAL, FOR THE US TO REOPEN PARA 16 AT THIS STAGE COULD SERIOUSLY PREJUDICE POSITIVE STANCE WE HAVE BEEN INSTRUCTED TO MAINTAIN IN THE MEETING. IF YOU BELIEVE CHANGE IN PARA 16 IS REQUIRED, WE WOULD RECOMMEND AWAITING OUTCOME OF WORK ON PARAS 7 AND 17, PROBABLY IN THE 4TH SESSION, BEFORE REOPENING PARA 16. AS INDICATED REF (A), WE REITERATED GENERAL UNDERSTANDING THAT LANGUAGE AD REFERENDUM IN THIS SPECIFIC CONTEXT. I HAVE TAKEN PRECAUTION OF ADVISING CHAIRMAN THERE MAY BE PROBLEM ON PARA 16 SO THAT HE WILL NOT BE TAKEN COMPLETELY BY SURPRISE IF YOU SHOULD DECIDE TO INSTRUCT US TO REOPEN THIS MATTER.

4. ON PARA 12 WE NOTE DISCREPANCY BETWEEN INSTRUCTIONS (REF D) RE THIRD SENTENCE AND PARA 67, REPORT OF COMMITTEE II ON REVIEW AND APPRAISAL (ENCLOSURE TO DEPARTMENT'S A-453). PLEASE CONFIRM GUIDANCE THIS POINT. DALE

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## Message Attributes

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